

Minutes of the Planning Commission meeting held on Thursday, November 6, 2008, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Jim Harland, Acting Chair  
Sheri Van Bibber  
Ray Black  
Kurtis Aoki  
Ray Christensen, Senior Planner  
Chad Wilkinson, Community Development Planner  
G.L. Critchfield, Deputy City Attorney  
Citizens

Excused: Tim Taylor, Chair  
Karen Daniels, Vice-Chair  
Jeff Evans

The Staff Review meeting was held from 6:00 to 6:30 p.m. The planning commission members briefly reviewed the applications on the agenda. An audio recording of this is available at the Murray City Community and Economic Development Department.

#### APPROVAL OF MINUTES

There were no minutes for approval.

#### APPROVAL OF FINDINGS OF FACT

Sheri Van Bibber made a motion to approve the Findings of Fact from the October 16, 2008 Planning Commission meeting. Seconded by Kurtis Aoki.

A voice vote was made. The minutes were approved unanimously (4-0).

#### CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

#### QUESTAR GAS COMPANY – 5050 South State Street

Quinn Evans of Questar Gas Company was the applicant present to represent this request. Chad Wilkinson, Community Development Planner, reviewed the location and request for a Conditional Use Permit and Certificate of Appropriateness review for a new utility building in the C-D-C zone and within the core area of the Downtown Historic Overlay District, at the property addressed 5050 South State Street. The site plan and landscape plan were reviewed. Some of the landscaping already exists along State Street. The building will be located toward the rear of the lot, on the west side. The application went before the DHOD Design Review Committee as required by Code. The applicant received recommendations from that Committee, mostly related to design of the building:

1. Hip roof
2. Bronze color standing seam metal roof
3. Split face, all one color and all one block type in earth tone.

These changes were agreed upon and reflected in the design. The masonry color proposed is an earth tone described as "Canyon Brown" and swatches were presented for review. Staff has reviewed the application and the recommendations from the DHOD Design Review Committee and is recommending approval with conditions.

Condition 4 was explained in further detail. There is to be access via a gate on the south side of the property. That gate would be accessed through property to the south which is owned by the State. It was requested that the applicant provide either evidence of an agreement or easement from the State showing that there is legal access to that gate, or to provide an alternate access meeting code. There is enough room on the site to provide an alternate access.

Quinn Evans, Questar Gas, 1140 West 200 South, Salt Lake City, asked whom he should submit the easement agreement to and if approval is needed prior to occupancy. Chad Wilkinson advised that the easement agreement should be submitted to him and explained that sign-off from the building inspector is required prior to occupancy.

There were no public comments on this item.

Kurtis Aoki made a motion to approve a Conditional Use Permit and a Certificate of Appropriateness, subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted with the building permit, and approved by the Murray City Forester and installed as approved prior to occupancy.
4. Prior to building permit, the applicant shall provide evidence of an agreement/easement for access to the building from the property to the south, or provide an alternate plan for access to the building.

Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

A\_\_ Ms. Van Bibber  
A\_\_ Mr. Harland  
A\_\_ Mr. Aoki  
A\_\_ Mr. Black

Motion passed, 4-0.

MASTER MUFFLER & BRAKE - 6790 South State Street

Steven Affleck of Master Muffler and Brake and John Wilhite were the applicants present to represent this request. Ray Christensen reviewed the location and request for a Conditional Use Permit for a building addition with 2 new service bays at the north side of the existing Master Muffler building, located on the corner of 6790 South State Street. Municipal Code Ordinance 17.160.030 allows automobile repair services in the C-D-C zone with Planning Commission Conditional Use Permit approval. There are some updates that need to be done on the property in order to meet the zoning regulations. One requirement is for a 6 foot high masonry wall on the west side, and relocation of a dumpster out of the landscape area. The dumpster needs to be contained within a 6 foot high solid enclosure with gates. There will be improvements to the front of the building with the addition of some brick material. The floor plan was reviewed, which showed the existing building and the proposed 2 new service bays. There is an existing billboard sign on the north side of the building that must meet clearance requirements and have power department approval. There is also a 10 foot depth requirement for landscaping between the sidewalk and the first parking stall at the south side of the property. Staff is recommending approval of the Conditional Use Permit subject to noted conditions.

John Wilhite, project architect, 2707 Willow Wick Drive, Sandy, Utah 84093, explained that to upgrade the appearance of the building they will be adding four foot high brick wainscot on both sides that have street frontage in addition to painting the whole building along with a red fascia. He confirmed that they will meet all nine of the conditions and stated that the drawings have been changed to show the landscaping. The power lines will either meet the clearance or be relocated underground. The business has been located on that property for over 20 years.

Jim Harland acknowledged receipt of an e-mail by the staff from Thomas Henchy, 14 West Lester Avenue, #A18, Murray, expressing concern related to the Conditional Use Permit request. He would like an 8 foot wall height instead of 6 foot, which would have to be approved by the Board of Adjustments. He also had concerns about security lighting and other security problems. Jim Harland stated that security lights are not a requirement, and the other security issues need to be addressed to the Police Department.

There were no additional public comments on this item.

Ray Black made a motion to approve the Conditional Use Permit for a building addition with 2 new service bays for Master Muffler and Brake located at 6790 South State, subject to the following conditions:

1. Meet the requirements of the Building Official for a building permit and compliance to building codes. The applicant will need to provide plans from design professionals to meet current regulations.
2. The City Engineer noted a drainage plan is required for changes to the drainage.
3. Meet the requirements of the Murray Power Dept. including to meet the required clearances. There is a possible conflict with a service line to the existing billboard sign which will need to be addressed per power dept. requirements.

4. Meet all Murray Fire, Water and Sewer Dept. requirements.
5. All of the parking stalls shall be paved and striped to meet parking regulations including installing one disabled stall on the site to meet ADA regulations.
6. A formal landscaping/sprinkler system plan shall be submitted with the building permit for approval by the City Forester and be installed as approved prior to occupancy. Landscaping will need to be installed at the south side of the property adjoining the west side of the driveway to a 10 foot depth.
7. The south driveway access on Lester Avenue shall be widened to a minimum of 25 feet.
8. The dumpster enclosure will need to be setback off of the required 10 foot depth buffer landscaping area.
9. The west buffer wall will need to be installed to 6 feet high to meet zoning regulations.

Seconded by Kurtis Aoki.

Call vote recorded by Ray Christensen.

A Ms. Van Bibber  
A Mr. Harland  
A Mr. Aoki  
A Mr. Black

Motion passed, 4-0.

#### UPSCALE TATTOOS – 294 West 4500 South

Freddie Alvarado was the applicant present to represent this request. Ray Christensen reviewed the location and request for a Conditional Use Permit for Upscale Tattoos, located at 294 West 4500 South. Municipal Code Ordinance 17.152.030 allows a tattooing business with Conditional Use Permit approval by the Murray Planning Commission. The property is located within the M-G-C zone. The proposed space will be leased inside the existing Stone Garden Retail Building. Parking is located to the west with some additional spaces on the south. The parking stalls required for a tattoo business are 3 parking stalls per booth. Upscale Tattoo plans to have 3 booths, which will require a total of 9 parking stalls. The total site requires 48 parking stalls and there are 53 provided. A parking detail plan was submitted for the Commission's review. The staff is recommending approval for the Conditional Use Permit subject to conditions.

Freddie Alvarado, 294 West 4500 South, Murray, confirmed that he had received a copy of the staff report and was aware of the conditions. He agreed that he would meet all of the conditions. He stated that Upscale Tattoo is a different type of tattoo parlor that attracts clientele such as doctors and lawyers. He has been in business for over a year in a different location but is seeking an area with more space.

There were no comments from the public regarding this item.

Kurtis Aoki made a motion to approve the Conditional Use Permit for Upscale Tattoos, located at 294 West 4500 South, subject to the following conditions:

1. The structure will need to meet the current building code requirements of the Murray Building Official.
2. Meet all Murray Fire Dept. requirements including meeting current building and fire codes.
3. Meet all Murray City Power, Water and Sewer Department requirements.
4. All of the parking stalls shall be paved and striped to meet zoning codes including one disabled stall to meet ADA regulations.

Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

A Ms. Van Bibber  
A Mr. Harland  
A Mr. Aoki  
A Mr. Black

Motion passed, 4-0.

M K B MECHANICAL, INC. – 198 West 4860 South

Randy Beckstead was the applicant present to represent this request. Chad Wilkinson reviewed the location and request for a Conditional Use Permit for establishment of a plumbing contractors office in the M-G-C zone. The property is located at 198 West 4860 South and is surrounded by other M-G-C zoned properties. There is an existing building at the site, located within the Woodward Industrial Park. The staff is recommending approval for a Conditional Use Permit, subject to conditions. There were two conditions that were discussed in further detail, one being the required 5 foot area surrounding the parking lot that has fallen into disrepair. The landscape plan should be revised to show that area as required by code and to meet the approval of the City Forester. Additionally, the site plan shows the building setback approximately 12 feet from the property line. The minimum setback for the zone is 20 feet, but it was verified on site that the building does meet the minimum 20 foot setback so the plan needs to be revised to show that correction.

Randy Beckstead, 198 West 4860 South, Murray, stated that his company is a commercial plumbing business that includes a service company. His employees frequently travel back and forth for tools and equipment, sometimes up to four times a day. He plans on four to six office employees. He researched the landscaping issue and learned that the sprinkling system has been out of order for a year. He's planning on repairing the sprinklers and possibly adding some shrubs. He confirmed that he has received a copy of the staff report and responded that he can meet all of the conditions outlined. The name of the contractor is MKB Mechanical, which handles all of the commercial work, with a d/b/a Liberty Plumbing, which is the service business.

The Commission questioned if there will be deliveries of heavy equipment to this location. Mr. Beckstead stated that there will be some deliveries, but big deliveries go directly to the jobsite. The only deliveries would be smaller items, such as faucet repair kits. Additionally, he doesn't foresee the need for any outside storage.

There were no comments from the public regarding this item.

Ray Black made a motion to approve a Conditional Use Permit for MKB Mechanical, a plumbing contractor business, located at 198 West 4860 South, subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted and approved by the Murray City Forester and installed as approved prior to occupancy. The plan shall show landscaping within the 5 foot area surrounding the parking lot, meeting the requirements of the Code and/or previous approvals for the property.
4. Revise the disabled person parking space on the plan to show an unloading aisle with an 8 foot width.
5. Revise the plan to show the building 20 feet from the front property line.
6. Re-stripe the parking lot in accordance with the approved plan.
7. The trash container shall be screened as required by Section 17.76.170.

Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

A\_ Ms. Van Bibber  
A\_ Mr. Harland  
A\_ Mr. Aoki  
A\_ Mr. Black

Motion passed, 4-0.

#### MURRAY SCHOOL DISTRICT – 750 West Tripp Lane

Glo Merrill was the applicant present to represent Murray School District for this request. Ray Christensen reviewed the location and zone change request. The property is located at 750 West Tripp Lane, which is within the A-1 zone. The request is to change the zone to R-1-8, residential, which is a change to the official zone map. Municipal Code Ordinance 17.84.020 pertains to the Murray City zoning map. The property is .39 acre and Tripp Lane is a public street. The property is generally level. The staff is recommending approval for the zone change

from A-1 to R-1-8 because it is consistent with the general plan. The Commission asked if the property to the west would remain agricultural. Maps were reviewed and it was confirmed that the property to the west would remain A-1, and it was further determined that it wasn't owned by the School District.

Glo Merrill, 147 East 5065 South, Murray, welcomed some students in attendance at the meeting from Murray High School. Ms. Merrill explained that there is a construction class at Murray High School. This year there are 17 students enrolled, and they take approximately 2 years to build a house. The School District was fortunate to be able to purchase this subdivision, called Jay's Place, about a year ago and then an additional adjacent lot. The property is to be subdivided and will be called Spartan Subdivision. If the property to the west becomes available for purchase, the School District would look at that as well. Ms. Merrill confirmed that she had received a copy of the staff report regarding the zone change and agreed with the recommendations.

There were no public comments related to this item.

Sheri Van Bibber made a motion to send a positive recommendation to City Council for the zone change from A-1 (agricultural) to R-1-8 (residential) at the property 750 West Tripp Lane because it is consistent with the City's general plan. There were no conditions related to this zone change.

Seconded by Kurtis Aoki.

Call vote recorded by Ray Christensen.

A Ms. Van Bibber  
A Mr. Harland  
A Mr. Aoki  
A Mr. Black

Motion passed, 4-0.

#### OTHER BUSINESS

There were no other business matters for discussion at this meeting.

Meeting adjourned.

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Ray Christensen, AICP  
Senior Planner